

**SOLICITOR**

TO: <b>Director of the U.S. Patent and Trademark Office</b> P.O. Box 1450 Alexandria, VA 22313-1450	<b>JUN 20 2007</b> U.S. PATENT & TRADEMARK OFFICE	<b>REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court EDVA, Norfolk Division on the following ☒ Patents or ☐ Trademarks:

2:07cv263	DATE FILED 06/11/07	U.S. DISTRICT COURT EDVA, Norfolk Division, 600 Granby Street, Norfolk, VA 23510
PLAINTIFF Ronald A. Katz Technology Licensing, L.P.		DEFENDANT Dominion Resources, Inc., et al.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 4,930,150		SEE ATTACHED COMPLAINT
2 5,128,984		
3 5,561,707		
4 5,684,863		
5 5,815,551		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 5,828,734		
2 5,917,893		
3 5,974,120		
4 6,148,065		
5 6,678,360		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK OF COURT FERNANDO GALINDO	(BY) DEPUTY CLERK 	DATE 06/14/07
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

F. Such other relief as the Court deems just and equitable.

Dated: June 8, 2007

Respectfully submitted,

By: Jonathan G. Graves  
Jonathan G. Graves (VSB #46136)  
COOLEY GODWARD KRONISH LLP  
One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Facsimile: (703) 456-8100

Of Counsel:

Stephen C. Neal  
COOLEY GODWARD KRONISH LLP  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Telephone: (650) 843-5000  
Facsimile: (650) 857-0663

*Attorneys for Plaintiff*  
*Ronald A. Katz Technology Licensing, L.P.*

**DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff Ronald A. Katz Technology

Licensing, L.P. hereby demands trial by jury.

Dated: June 8, 2007

Respectfully submitted,

By: Jonathan G. Graves  
Jonathan G. Graves (VSB #46136)  
COOLEY GODWARD KRONISH LLP  
One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Facsimile: (703) 456-8100

Of Counsel:

Stephen C. Neal  
COOLEY GODWARD KRONISH LLP  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Telephone: (650) 843-5000  
Facsimile: (650) 857-0663

*Attorneys for Plaintiff*  
*Ronald A. Katz Technology Licensing, L.P.*



FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

2007 JUN 11 A 10:05

CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA

RONALD A. KATZ TECHNOLOGY  
LICENSING, L.P.,

Plaintiff,

v.

DOMINION RESOURCES, INC.,  
VIRGINIA ELECTRIC AND POWER CO.,  
THE EAST OHIO GAS CO.,  
HOPE GAS, INC., and  
PEOPLES NATURAL GAS CO.

Defendants.

CASE NO. 2:07CV263

Jury Trial Demanded

*HCM / JEB*

*sgk*

**PLAINTIFF RONALD A. KATZ TECHNOLOGY LICENSING, L.P.'S**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, Ronald A. Katz Technology Licensing, L.P. ("Katz Technology Licensing"), by  
counsel, alleges as follows:

**THE PARTIES**

1. Plaintiff Katz Technology Licensing is a limited partnership organized under the  
laws of the State of California, and having a principal place of business at 9220 Sunset Blvd.  
#315, Los Angeles, CA 90069.

2. On information and belief, Defendant Dominion Resources, Inc. is a Virginia  
entity maintaining its principal place of business at 120 Tredegar St., Richmond, VA 23219.

3. On information and belief, Defendant Virginia Electric and Power Co.  
("Dominion Virginia Power") is a Virginia entity maintaining its principal place of business at  
120 Tredegar St., Richmond, VA 23219.

4. On information and belief, Defendant The East Ohio Gas Co. ("Dominion East Ohio") is an Ohio entity maintaining its principal place of business at 19701 Libby Rd., Maple Heights, OH 44137.

5. On information and belief, Defendant Hope Gas, Inc. ("Dominion Hope") is a West Virginia entity maintaining its principal place of business at 500 Davisson Rd., Clarksburg, WV 26301.

6. On information and belief, Defendant Peoples Natural Gas Co. ("Dominion Peoples") is a Pennsylvania entity maintaining its principal place of business at 625 Liberty Ave., Pittsburgh, PA 15222.

#### **JURISDICTION AND VENUE**

7. This is a civil action for patent infringement arising under the United States patent statutes, 35 U.S.C. § 1 *et seq.*

8. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

9. Upon information and belief, Defendants Dominion Resources, Inc., Dominion Virginia Power, Dominion East Ohio, Dominion Hope and Dominion Peoples (collectively, "Defendants") are subject to this Court's personal jurisdiction because they do and have done substantial business in this judicial district, including: (i) operating infringing automated telephone call processing systems, including without limitation customer service systems that allow their customers, including customers within this State and in this District, to perform and obtain energy and utility customer services and/or obtain other services over the telephone; and/or (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from services provided to individuals in this State and in this

District. In addition, Dominion Resources, Inc. and Dominion Virginia Power have designated an agent for service of process in the State of Virginia.

10. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b)-(c) and 1400(b).

### **BACKGROUND FACTS**

11. Ronald A. Katz (“Mr. Katz”), founder of Katz Technology Licensing, is the sole inventor of each of the patents in suit. Mr. Katz has been widely recognized as one of the most prolific and successful inventors of our time, and his inventions over the last forty-plus years have been utilized by literally millions of people.

12. In 1961, Mr. Katz co-founded Telecredit Inc. (“Telecredit”), the first company to provide online, real-time credit authorization, allowing merchants to verify checks over the telephone. Further innovations from Telecredit include the first online, real-time, point-of-sale credit verification terminal, which enabled merchants to verify checks without requiring the assistance of a live operator, and the first device that used and updated magnetically-encoded cards in automated teller machines. Multiple patents issued from these innovations, including patents co-invented by Mr. Katz.

13. Telecredit was eventually acquired by Equifax, and has now been spun off as Certegy, a public company traded on the New York Stock Exchange. Certegy continues to provide services in the credit and check verification field established by Mr. Katz and Telecredit.

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14. Mr. Katz's inventions have not been limited to telephonic check verification. Indeed, Mr. Katz is responsible for advancements in many fields of technology. Among his most prominent and well-known innovations are those in the field of interactive call processing. Mr. Katz's inventions in that field are directed to the integration of telephonic systems with computer databases and live operator call centers to provide interactive call processing services.

15. The first of Mr. Katz's interactive call processing patents issued on December 20, 1988. More than fifty U.S. patents have issued to Mr. Katz for his inventions in the interactive call processing field, including each of the patents-in-suit.

16. In 1988, Mr. Katz partnered with American Express to establish FDR Interactive Technologies, later renamed Call Interactive, to provide interactive call processing services based on Mr. Katz's inventions. The American Express business unit involved in this joint venture later became known as First Data.

17. Early clients of Call Interactive included *The New York Times*, ABC's *Monday Night Football*, KABC Radio, CBS News, and Beatrice Foods (Hunt-Wesson division).

18. Many of these clients utilized Call Interactive technology for high-profile events. For example, CBS News hired Call Interactive to operate an interactive, real-time telephone poll to gauge viewer reaction to President George H.W. Bush's 1992 State of the Union address.

19. Mr. Katz sold his interest in Call Interactive to American Express in 1989 but continued to provide advisory services to Call Interactive until 1992. American Express later spun off the First Data business unit into a separate corporation, and with that new entity went Mr. Katz's interactive call processing patents and the Call Interactive call processing business. The former Call Interactive, now known as First Data Voice Services, continues to provide call processing solutions today.

20. In 1994, Mr. Katz formed Katz Technology Licensing, which acquired the rights to the entire interactive call processing patent portfolio, including the rights to each of the patents-in-suit, from First Data, the owner of all of the Katz interactive call processing patents at that time.

21. The marketplace has clearly recognized the value of Mr. Katz's inventions. Indeed, over 150 companies have licensed the patents-in-suit. Licensees include IBM, Hewlett-Packard, Bank of America, JPMorgan Chase, Wells Fargo, HSBC, Verizon, Sprint, Microsoft, Delta Airlines, Merck, Sears, and Home Shopping Network. These licenses and others acknowledge the applicability of the patents-in-suit to multiple fields of use, including but not limited to financial services call processing, automated securities transactions, automated credit card authorization services, automated wireless telecommunication services and support, automated health care services, and product and service support.

22. Each of the defendants employs the inventions of certain of the patents-in-suit. Katz Technology Licensing, through its licensing arm A2D, L.P., has repeatedly attempted to engage the defendants in licensing negotiations, but to date, none of the defendants have agreed to take a license to any of the patents-in-suit.

### **THE PATENTS-IN-SUIT**

23. On May 29, 1990, the United States Patent and Trademark Office duly and legally issued United States Patent No. 4,930,150 ("the '150 Patent"), entitled "Telephonic Interface Control System," to Ronald A. Katz, sole inventor. The '150 Patent expired on December 20, 2005.

24. On July 7, 1992, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,128,984 ("the '984 Patent"), entitled "Telephone Interface Call



Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor.

25. On October 1, 1996, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,561,707 (“the ‘707 Patent”), entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘707 Patent expired on December 20, 2005.

26. On November 4, 1997, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,684,863 (“the ‘863 Patent”), entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘863 Patent expired on December 20, 2005.

27. On September 29, 1998, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,815,551 (“the ‘551 Patent”), entitled “Telephonic-Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘551 Patent expired on December 20, 2005.

28. On October 27, 1998, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,828,734 (“the ‘734 Patent”), entitled “Telephone Interface Call Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor.

29. On June 29, 1999, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,917,893 (“the ‘893 Patent”), entitled “Multiple Format Telephonic Interface Control System,” to Ronald A. Katz, sole inventor. The ‘893 Patent expired on December 20, 2005.

30. On October 26, 1999, the United States Patent and Trademark Office duly and legally issued United States Patent No. 5,974,120 (“the ‘120 Patent”), entitled “Telephone Interface Call Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor.

31. On November 14, 2000, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,148,065 ("the '065 Patent"), entitled "Telephonic-Interface Statistical Analysis System," to Ronald A. Katz, sole inventor. The '065 Patent expired on July 10, 2005.

32. On January 13, 2004, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,678,360 ("the '360 Patent"), entitled "Telephonic-Interface Statistical Analysis System," to Ronald A. Katz, sole inventor. The '360 Patent expired on July 10, 2005.

### **COUNT I (PATENT INFRINGEMENT)**

33. Katz Technology Licensing realleges and incorporates by reference paragraphs 1-32 of this Complaint as if fully set forth herein.

34. Katz Technology Licensing is the sole holder of the entire right, title, and interest in the '150, '984, '707, '863, '551, '734, '893, '120, '065, and '360 Patents.

35. Upon information and belief, the Defendants operate automated telephone systems, including without limitation customer service systems that allow their customers to perform and obtain energy and utility customer services and/or obtain other services over the telephone.

36. The Defendants have directly and contributorily infringed, and induced others to infringe, one or more claims of each of the patents identified in paragraph 34 of this Complaint by making, using, offering to sell, and/or selling within the United States automated telephone systems, including without limitation customer service systems that allow their customers to perform and obtain energy and utility customer services and/or obtain other services over the telephone.

37. The Defendants continue to infringe, contributorily infringe, and induce others to infringe the '984, '734 and '120 Patents.

38. The Defendants' infringement of the patents identified in paragraph 34 of this Complaint has been willful.

39. Katz Technology Licensing has been, and continues to be, damaged and irreparably harmed by the Defendants' infringement, which will continue unless the Defendants are enjoined by this Court.

### **REQUEST FOR RELIEF**

WHEREFORE, Plaintiff Katz Technology Licensing respectfully requests the following relief:

A. A judgment holding the Defendants liable for infringement of the patents identified in paragraph 34 of this Complaint;

B. A permanent injunction against the Defendants, their officers, agents, servants, employees, attorneys, parent and subsidiary corporations, assigns and successors in interest, and those persons in active concert or participation with them, enjoining them from continued acts of infringement of the '984, '734 and '120 Patents;

C. An accounting for damages resulting from the Defendants' infringement of the patents identified in paragraph 34 of this Complaint, together with pre-judgment and post-judgment interest;

D. A judgment holding that the Defendants' infringement of the patents identified in paragraph 34 of this Complaint is willful, and a trebling of damages pursuant to 35 U.S.C. § 284;

E. A judgment holding this Action an exceptional case, and an award to Plaintiff Katz Technology Licensing for its attorneys' fees and costs pursuant to 35 U.S.C. § 285; and